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UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS AMARILLO DIVISION

IN RE:

WHEELER HOSPITALITY, INC.

CASE NO. 10-20166-rlj11

PERRYTON HOSPITALITY, INC.

CASE NO. 10-20167-rlj11

BORGER PROPERTIES, INC.

CASE NO. 10-20168-rlj11

CHILDRESS HOSPITALITY, L.P.

CASE NO. 10-20169-rlj11

BORGER HOSPITALITY, INC.

CASE NO. 10-20170-rlj11

CASE NO. 10-20171-rlj11

Debtors

MOTION FOR JOINT ADMINISTRATION

Come now WHEELER HOSPITALITY, INC., PERRYTON HOSPITALITY, INC, BORGER HOSPITALITY, INC., CHILDRESS HOSPITALITY, L.P., BORGER HOSPITALITY, INC., AND DECATUR HOSPITALITY, INC., the debtors in possession in the above-styled Chapter 11 cases (the "Debtors"), requesting that their cases be jointly administered and for cause would show as follows:

- 1. On March 12, 2010, voluntary petitions for relief were filed by the debtors in the above-captioned cases.
- 2. No trustee has been appointed in any of the cases and the debtors are each operating as debtors in possession.
- 3. Each of the cases are substantially related in that the debtors have for the most part the same equity interest holders, the same bank, trade and lien creditors, and are each involved in litigation against the same parties.
 - 4. The joint administration of the Debtors' Chapter 11 cases will permit the Clerk of

the Court to use a single general docket for each of the Debtors' cases and to combine notices to creditors and other parties in interest of the Debtors' respective estates. The Debtors anticipate that numerous notices, applications, motions, other pleadings, hearings, and orders in these cases will affect many or all of the Debtors. Joint administration will save time and money and avoid duplicative and potentially confusing filings, by permitting counsel for all parties in interest to (a) use a single caption on the numerous documents that will be served and filed herein and (b) file the papers in one case rather than six. Joint administration will also protect parties in interest by ensuring that parties in interest in each of the Debtors' respective Chapter 11 case to be apprised of the various matters before the Court in all of these cases.

- 5. In addition, the Debtors request that the official caption to be used by all parties in all pleadings in the jointly administered cases be in the Court's approved form.
- 6. The rights of the respective creditors of each of the Debtors will not be adversely affected by joint administration of these cases inasmuch as the relief sought is purely procedural and is in no way intended to affect substantive rights, and each creditor and other party in interest will maintain whatever rights it has against the particular estate in which it allegedly has a claim or right. Indeed, the rights of all creditors will be enhanced by the reduction in costs resulting from joint administration. The Court also will be relieved of the burden of entering duplicative orders and keeping duplicative files. Finally, supervision of the administrative aspects of the Chapter 11 cases by the Office of the United States Trustee will be simplified.
- 7. No previous request for the relief sought in this Application has been made to this Court or any other Court.

WHEREFORE, the Debtors respectfully request that the Court enter an order of joint administration and grant such other and further relief as is just and proper.

Dated: 03/15/2010 Respectfully Submitted

/s/ Bill Kinkead

Bill Kinkead Attorney for Debtors 6937 Bell Suite G Amarillo, Texas 79109 (806) 353-2129 Fax (806) 353-4370

CERTIFICATE OF SERVICE

This is to certify that on this 15th day of March, 2010, a true and correct copy of the foregoing instrument was served upon the parties listed below by depositing same in the United States Mail, first class, postage prepaid, and addressed as stated, by EMAIL or by ECF.

ECF:

David M. Jones on behalf of Creditor Harish L. Patel and Preyesh Kumar bankruptcy.docs@sprouselaw.com

UST U.S. Trustee ustpregion06.da.ecf@usdoj.gov, <u>albert.loftus@usdoj.gov</u>

MAIL:

None

EMAIL:

See Attached Notice List

/s/ Bill Kinkead

Bill Kinkead Attorney for Debtors

NOTICE LIST

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Debtors:

Wheeler Hospitality, Inc. Perryton Hospitality, Inc. Childress Hospitality LP Borger Hospitality, Inc. Decatur Hospitality, Inc. Borger Properties, Inc.

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BANKS

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Citizens National Bank - Childress

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